REMARKS

Applicants respectfully request reconsideration of the application. At the time of the Office Action dated February 12, 2003, claims 38-71 were pending in the application. The Office rejected issued a restriction requirement, grouping claims as follows:

Group 1: 38-51 and 63-68

Group 2: 52-62

Group 3: 69-71

Applicants have elected without traverse examination of the Group 1 claims.

Preliminary Issues

The Examiner objected to the drawings because reference number 50 is used in the specification to designate a port, while reference number 112 is used in Figure 1. Applicant has amended the reference number 112 in Fig. 1 to read "50."

The draftperson objected to the use of pencil/non-black ink in Fig. 4. Fig. 4 has been corrected and a complete set of drawings is provided with this response.

Applicant has amended the specification to include the serial number of the patent application referred to on page 1, line 4, and page 14, line 27.

Rejections Under 102(e)

Claims 38-51 and 63-68 stand rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. US 2003/0011684 A1 to Narayanaswami et al. Claims 38-39 are cancelled without prejudice.

<u>Claim 40</u>

As amended, claim 40 recites: "a steganographic encoder for encoding auxiliary data in the media signal; wherein the auxiliary data includes a reference to auxiliary data stored in an external database". The Office contends that compression scheme is an example of a reference to auxiliary data stored outside the media signal. The parameter representing compression type does not provide a reference to auxiliary data stored in an external database as claimed. Narayanaswami fails to disclose the claimed combination of elements as amended.

Claim 41

Claim 41 is patentable for the same reasons as claim 40.

Claim 42

As amended, claim 42 recites: "wherein the auxiliary data includes authentication data for authenticating the media signal; and wherein the authentication data comprises a hash derived from the media signal." Narayanaswami does not teach the claimed combination, as amended, and in particular, does not teach a capture device that steganographically encodes a hash derived from the media signal into the media signal as claimed.

Claim 43

As amended, claim 43 recites: "wherein at least part of the auxiliary data is specified in the external computing device and transferred into the media signal capture device for encoding in the media signal". Narayanaswami requires the user of a camera to specify parameters through a user interface of the camera. In contrast, the claimed combination recites that the auxiliary data is specified in the external computing device and transferred into the media signal capture device for encoding in the media signal. The Office notes that a keyboard may be connected to the camera in Narayanaswami for entering text parameters. However, this keyboard is not an external computing device as claimed.

Claim 44

As amended, claim 44 recites: "an interface for receiving an operating parameter specifying a type of auxiliary data to associate with the media signal from an external computing device, the operating parameter being specified by a remote user via the external computing device and transferred into the media signal capture device" in combination with other elements. Narayanaswami does not disclose or teach the claimed combination in amended claim 44.

Claim 45

As amended, claim 45 recites: "an interface for receiving session parameters that govern operation of the media signal capture device during a session from an external computing device,

-14-

wherein the session parameters are defined remotely in the external computing device and transferred into the media signal capture device to control the media signal capture device during a session". Narayanaswami fails to disclose or suggest an interface that enables remote definition of session parameters as claimed. Claims 46 and 47 are patentable for the same reasons as claim 45.

Claim 48

Narayanaswami fails to disclose or suggest: "an interface for receiving session parameters that govern operation of the media signal capture device during a session from an external computing device, wherein the session parameters are defined remotely in the external computing device and transferred into the media signal capture device to control the media signal capture device during a session" in combination with the other elements in amended claim 48. Claims 49-51 are patentable over Narayanaswami for the same reasons as claim 48.

Claim 63

As amended, claim 63 clarifies that the stegangoraphic encoding is performed automatically upon transfer of the media signal to an external device. The cited passages in Narayanaswami does not disclose automatic steganographic encoding upon transfer of a media signal outside a capture device as claimed. Claims 64-66 are patentable for the same reasons as claim 63.

Claim 67

Claim 67, as amended, clarifies that the computer and user interface that specifies a data item to be steganographically encoded in the media signal is external to the capture device. Narayanaswami fails to disclose or suggest an external computer and user interface to specify data to be steganographically encoded in the media signal as claimed.

Claim 68

As amended, claim 68 clarifies the term "steganographic link." Claim 68 recites: "the steganographic link provides a reference to a database entry in which auxiliary data related to the

media signal is stored and the steganographic link is embedded into the media signal to provide a persistent link in the media signal to the database entry."   Narayanaswami fails to disclose or suggest the steganographic link as a reference to a database entry as claimed.

Concluding Remarks

Narayanaswami fails to disclose, teach or suggest all of the elements of the pending claims. Therefore, the pending claims are patentable over Narayanaswami.

Date: May 12, 2003

23735

Phone: 503-885-9699
FAX 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By_____
        Joel R. Meyer
        Registration No. 37,677